

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Logical Telecom, LP D/B/A LN
Prepadi for a Certificate of Public Convenience and
Necessity to Provide Resold Intrastate Interexchange
Telecommunications Services and for Alternative
Regulation of its Interexchange Service Offerings

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2007 - - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

ELLIS:LAWHORNE

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September 21, 2007

FILED ELECTRONICALLY AND HAND-DELIVERY

The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Application of Logical Telecom, LP, D/B/A LN Prepaid for a Certificate of Public Convenience and Necessity to Provide Resold Intrastate Interexchange Telecommunications Services and for Alternative Regulation of its Interexchange Service Offerings
Docket No. 2007-___-C, Our File No. 1350-11447

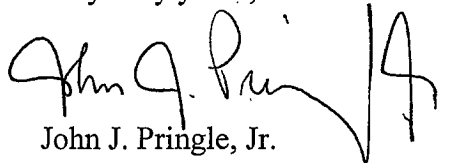
Dear Mr. Terreni:

Enclosed is the original and one (1) copy of the **Motion for Protective Treatment and Basis for Filing Exhibit C as Trade Secret** filed on behalf of Logical Telecom, LP in the above-referenced matter.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,



John J. Pringle, Jr.

JJP/cr

cc: Office of Regulatory Staff Legal Department (via first-class mail service)
Mr. Raul Cardenas (via first-class mail service)
Thomas K. Crowe, Esquire (via first-class mail service)

Enclosures

THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2007-__-C

IN RE:

Application of Logical Telecom, LP,)	MOTION FOR PROTECTIVE
D/B/A LN Prepaid for a Certificate of)	TREATMENT AND
Public Convenience and Necessity to)	BASIS FOR FILING EXHIBIT C AS TRADE
Provide Resold Intrastate Interexchange)	SECRET
Telecommunications Services and for)	
Alternative Regulation of its)	
Interexchange Service Offerings		

Logical Telecom, LP, D/B/A LN Prepaid ("Logical" or "Applicant"), by counsel, and pursuant to S.C. Code Ann. § 39-8-10, *et seq.*, and S.C Code Ann. Regs 103-804(S)(2), hereby files this Motion for Protective Treatment ("Motion") in the above-captioned proceeding. By this Motion, Logical seeks protective treatment by the South Carolina Public Service Commission ("Commission") of certain commercially-sensitive financial information attached as Exhibit C, filed as Trade Secret to Logical's Application for Interexchange Telecommunications Services. Because this Motion is an inseparable part of Logical's Application, it is being filed concurrently therewith.

In support of this Motion, Applicant provides the following:

In support of its application, Logical respectfully submits as follows:

1. The legal name, address, telephone and fax number of the Applicant are:

Logical Telecom, LP d/b/a LN Prepaid
1920 South Main Street
Suite 271
McAllen, TX 78503
Telephone: (214) 764-9393
Facsimile: (214) 764-9397
Toll Free: (800) 448-4306

2. All correspondence, notices, inquiries, and other communications regarding this Motion should be addressed to:

John J. Pringle
Ellis, Lawhorne & Sims, P.A.
1501 Main Street, 5th Floor
Columbia, SC 29202
Telephone: (803) 343-1270
Fax: (803) 799-8479
jpringle@ellislawhorne.com

with copies to:

Thomas K. Crowe, Esq.
Law Offices of Thomas K. Crowe, P.C.
1250 24th Street, N.W., Suite 300
Washington, D.C. 20037
Telephone: (202) 263-3640
Facsimile: (202) 263-3641
E-mail: firm@tkcrowe.com

I. Description of Confidential Information

The Application requires Logical to disclose evidence of its financial ability to provide service by submitting documentation of its financial resources. Pursuant to this requirement, Logical is submitting copies of its most recent financial statements. These documents contain highly confidential and strictly proprietary information, the public disclosure of which would result in direct, immediate and substantial harm to Logical's competitive position in South Carolina and in other states where Logical is currently doing business.

II. Grounds for Claim of Confidentiality

The financial information submitted by Logical in Exhibit C of its Application fits squarely within the definition of a "trade secret" under the South Carolina Trade Secrets

Act.¹ As a privately-held company, Logical's financial qualifications are not readily ascertainable. Logical currently has no legal obligation to prepare or submit projected financial statements, or to report any financial information to a public entity. Further, the unavailability of this information derives independent economic value for Logical because the disclosure of such information would harm Logical's ability to compete in the provision of advanced telecommunications services in South Carolina. Logical is not a public entity and its financial and business information is uniquely sensitive.

Logical takes considerable efforts to maintain the secrecy of the information contained in its financial statements. Financial information of this type is not publicly disseminated, and Logical takes reasonable steps to guard this information internally as well. Its disclosure is limited to Logical's senior officers, Logical's counsel and employees of the company who are directly involved with Logical's financial operations. Furthermore, when required to submit financial information to public authorities, all such information is clearly stamped "confidential" and is accompanied by formal requests to maintain the confidentiality of the information and to withhold it from public disclosure.

Logical clarifies that its request for protection applies only to the financial information contained in Exhibit C to the Application. Logical is not seeking protection of any type by means of this Motion for those reports Logical will be required to file with the Office of Regulatory Staff ("ORS") should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, or the Universal Service Fund Worksheet.

¹ A "trade secret" is defined in S.C. Code § 39-8-20(5)(a) as information that "(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public...and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

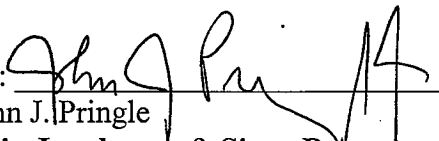
III. Conclusion

The financial information included in support of Logical's Application, for which confidential treatment is requested, is both proprietary and competitively sensitive. Logical would suffer substantial direct harm if such information is made publicly available. The harm that would result from public disclosure of Logical's financial information is real and not speculative. Moreover, to date, no other jurisdiction has required Logical to make its financial information publicly available. For the foregoing reasons, the financial information included in Exhibit C should be protected from public disclosure by the Commission.

WHEREFORE, Logical respectfully requests that the information contained in Exhibit C of Logical's Application for a Certificate of Public Convenience and Necessity be ruled exempt from public disclosure and provided confidential treatment in accordance with S.C. Code Ann. § 39-8-10, *et seq.*

Respectfully submitted,

LOGICAL TELECOM, LP

By: 
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Washington, D.C. 20037
Attorneys for Applicant

Dated: September 21, 2007
Columbia, South Carolina